

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTHONY WHEELER,

Plaintiff,

v.

SALVADOR GODINEZ, RICHARD  
HARRINGTON, KIMBERLY BUTLER, SGT.  
BIRKNER, C/O HARRINGTON, C/O  
STEPHENSON, C/O SHIELDS, C/O SPILLER, J.  
REID and MIKE ATCHINGTON,

Defendants.

Case No. 13-cv-964-JPG-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 111) of Magistrate Judge Philip M. Frazier recommending that the Court deny plaintiff Anthony Wheeler’s motion for an order to show cause, construed as a motion for sanctions (Doc. 109).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjectionated portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. It has reviewed the Report for clear error and finds none. Accordingly, the Court:

- **ADOPTS** the Report in its entirety (Doc. 111); and
- **DENIES** Wheeler’s motion for an order to show cause, construed as a motion for sanctions (Doc. 109).

**IT IS SO ORDERED.**

**DATED: January 5, 2015**

s/J. Phil Gilbert  
J. PHIL GILBERT  
**DISTRICT JUDGE**